IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
NOTICE OF MOTION NO.4021 OF 2005
IN
APPEAL (L) NO.1326 OF 2005
IN
NOTICE OF MOTION NO.877 OF 2003
IN
SUIT NO.806 OF 2003

Mr.Abdul Sattar son of Late
Mohammed Shafih & anr. .. Appellants

v/s.

M/s.Rails Engineering Works .. Respondent

Mr.S.M.Sakhardande i/by Mr.Sunil Nair for the appellants.

CORAM : R.M.LODHA AND
ANOOP V. MOHTA, JJ.

DATED : 9th January, 2006

P.C.

The appeal suffers from delay of 28 days. Despite service, the respondent has not chosen to appear.

2. For the reasons stated in the affidavit in support of the notice of motion, we are satisfied that delay in filing the appeal may be condoned.

Order accordingly.

3. Office is directed to process the appeal and post it for admission as soon as numbered.

4. Notice of motion stands disposed of.

(R.M. LODHA, J.)

(ANOOP V. MOHTA, J.)